

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 2:24-cv-06539-RGK-PVC

Date August 28, 2024

Title *Ricki Davis v. OneNeck IT Solutions, LLC et al.*

Present: The Honorable R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE

Joseph Remigio

Not Reported

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

Not Present

Not Present

Proceedings: (IN CHAMBERS) Order to Show Case Re Amount in Controversy

On June 4, 2024, Ricki Davis (“Plaintiff”) filed a Complaint against OneNeck IT Solutions LLC (“Defendant”) in Ventura County Superior Court. (ECF No. 1-1.) On August 2, 2024, Defendant removed the case to this Court on the basis of diversity jurisdiction. (ECF No. 1.)

A defendant may remove a civil case over which a district court has original jurisdiction to federal court. 28 U.S.C. § 1441. District courts have original jurisdiction over all cases where: (1) the amount in controversy exceeds \$75,000 and (2) the plaintiff and defendant are citizens of different states. *Id.* § 1332(a). Courts should “strictly construe the removal statute against removal jurisdiction.” *Gaus v. Miles, Inc.*, 980 F.2d 564, 566 (9th Cir. 1992) (internal quotation marks omitted). Therefore, “[f]ederal jurisdiction must be rejected if there is any doubt as to the right of removal in the first instance.” *Id.* If the amount in controversy is unclear from the face of the complaint, the removing party must “provide evidence establishing that it is ‘more likely than not’ that the amount in controversy exceeds” \$75,000. *Sanchez v. Monumental Life Ins. Co.*, 102 F.3d 398, 404 (9th Cir. 1996).

Here, although Defendant acknowledges that “the Complaint does not identify a specific amount for monetary relief,” it provides no additional facts to support the jurisdictional amount. (Notice of Removal ¶ 12.) Therefore, Defendant has failed to meet its burden of proving the Court’s jurisdiction by a preponderance of the evidence. Accordingly, the Court **ORDERS** Defendant to **show cause in writing** why the case should not be remanded. Such a response shall not exceed **five pages** and shall be filed within **seven days** of this Order’s issuance.

IT IS SO ORDERED.

Initials of Preparer

JRE/ak